



## South Carolina Judicial Department

### Finance and Personnel

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August 25, 2006

Mr. Les Boles, Director  
Office of State Budget  
1201 Main Street, Suite 870  
Columbia, SC 29201

Dear Mr. Boles:

Enclosed for your consideration is the South Carolina Judicial Department Budget request for fiscal year 2007-2008.

Sincerely,

Thomas B. Timberlake

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## FISCAL YEAR 2007-08 BUDGET REQUEST

### I. EXECUTIVE SUMMARY

- A. Agency Section/Code/Name: Section 30/B04/Judicial Department
- B. Statewide Mission: By the adoption of Article V, Section 1, of the South Carolina Constitution, the people of this State established the Judicial Department as the administrator of a unified judicial system (the Judicial Branch), one of the three co-equal branches of South Carolina State Government.<sup>1</sup> At some point, virtually all citizens of the state have contact with the Judicial Department, whether that contact is direct because of involvement in a civil dispute or criminal matter, or indirect because the citizen's life is impacted by a decision of a trial or appellate court that could involve local zoning, taxation, or interpretation of a state statute. The Judicial Department strives to provide a court system that not only is fair but that the citizens of the state perceive as treating all persons equally and as resolving all matters in an unbiased and just manner according to the law as established by the United States Constitution, the Constitution of South Carolina, state statutes, and the common law.

**The mission of the Judicial Department is to ensure that an accessible forum is available for the resolution of civil disputes and criminal matters and to resolve those cases in a fair and efficient manner.**

Values are defined as the principles, goals, and standards held by society. The Judicial Department balances the tradition of the courts with its modernization by upholding its core values:

- Fundamental belief in justice for all
- Commitment to the people of South Carolina
- Focus on improving results
- Dedication to collaboration within the Judicial Branch and with appropriate outside entities
- Expectation of professional and ethical behavior

The following major accomplishments were among those achieved in fiscal year 2005-06:

- Through the combined efforts of judges, administration and staff, the Judicial Department has attained notable achievements this year. Some of the accomplishments significantly improved specific operations within the courts while others have solidified the changing direction, attitude, and approach of individuals working in and with the Judicial Branch. Examples are:
- The Judicial Department continues to utilize its website ([www.sccourts.org](http://www.sccourts.org)) for the publication of information. In the past several years, the manual distribution of paper reports, forms, and calendars has been replaced with real-time electronic distribution of this information. The services provided through this website continue to expand. During this past year, a judicial educational resources link was added and the updates necessary to be compatible with the new disability access requirements that go into effect in the Fall 2006 have begun being incorporated.

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<sup>1</sup> Throughout this report, the term "Judicial Department" includes those departments and divisions directly funded by the State. The term Judicial Branch refers to all entities included in the unified judicial system, funded both by the State and locally by counties and municipalities.

- The statewide court case management system (CMS) is in production in seven (7) counties in South Carolina. The CMS now processes and manages more than 31% of the total court cases in the state.
- A semi-monthly employee news bulletin titled “The Docket” was developed by Finance & Personnel to keep all staff updated and informed on items of interest about the South Carolina Judicial Department (SCJD), to announce new hires/resignations/retirements, to share human interest stories about each other, to advise of state government news items, and to disseminate policies and procedures information.
- The Court of Appeals established an innovative procedure for the speedy handling of dependency appeals, i.e.: appeals involving adoption, parental rights, custody, and other legal areas affecting children.
- The responsibilities of the Office of Disciplinary Counsel are expanding with the increased sophistication of the legal profession. As required by a Supreme Court enactment that became effective this year, the Commission on Lawyer Conduct now tracks media advertisements (including print, web, radio and television) published by attorneys as well as checks from attorneys that cannot be cashed due to non-sufficient funds. In addition to the development of internal procedures and systems, communication mechanisms with the banks were established to address these responsibilities.
- The Judicial Department, in collaboration with USC Upstate, sponsored an educational program for persons who provide court interpretation or who are interested in providing court interpretation. The first-time event, “Non-English Interpretation in South Carolina Courts: An Overview”, was attended by nearly 100 people.
- The redesign of the criminal docket report (CDR) code system, or offense codes, was completed. This new system is entirely web based and provides the ability for 1) Court Administration to administer its responsibilities with regards to the offense codes, 2) South Carolina Department of Corrections (SCDC) and Department of Probation, Pardons, and Parole (DPPP) to administer their responsibilities, and 3) South Carolina Law Enforcement Division (SLED) to administer the associations among CDR codes and South Carolina Incident Based Reporting (SCIBRS) codes. This system enables all four of these agencies the ability to securely manage their aspects of the CDR code system and give the public access through the SCJD website.
- The safety and well-being of judicial personnel as well as all users and visitors to the courthouses of South Carolina is of paramount importance. The tragic events that occurred in 2005 in Atlanta and Chicago courts have brought the concern of courthouse security to the forefront in America. In response to these tragedies, SCJD and SLED embarked upon a joint project in the summer of 2005 to establish a Court Security Task Force comprised of state law enforcement officials, sheriffs, correction officials, clerks of court, and other court personnel. The task force conducted surveys to assess the status of courthouse security across the state and determine minimum standards and guidelines for all judicial facilities in South Carolina. The goal of this effort is to prevent any tragedy of this type from occurring in South Carolina by providing guidance, oversight, and direction for each county to develop its own individual court security operating procedures.
- In conjunction with the South Carolina Bar, the Supreme Court conducted the second annual Supreme Court Institute for high school teachers. This program, which was modeled on a program developed by the Wisconsin Supreme Court, is a professional development program that allows secondary teachers to learn about the judicial system in South Carolina through interaction with

attorneys, judges, court employees and members of the Supreme Court. This intensive, two-and-a-half day program gives educators a variety of new tools for teaching about the courts and the justice system in a way that is relevant and interesting to their students.

- In recognition of the devastating impact Hurricane Katrina had on the citizens and members of the legal profession in Louisiana, Mississippi and Alabama, the Supreme Court waived the filing fee for pro hac vice admission for lawyers from those states for nine months, extended the filing deadline for residents from those states applying to take the February 2006 bar examination, and waived the filing fee for bar applications for lawyers displaced by the hurricane. The Supreme Court also encouraged members of the South Carolina Bar to provide space and other services to lawyers from the affected states so that they could continue to provide much needed legal services to their clients.

#### C. Description of Strategic or Long-Term Goals:

##### (1) Summary

- Continue to serve the public by resolving cases in accordance with the benchmarks established for appellate and trial court cases.
- Increase the efficiency of the day-to-day court operations with the deployment of the statewide court case management system to all the counties in the state.
- Develop an online bar admissions application and automated bar admissions tracking system.
- Update the Code of Conduct for all employees of the Judicial Department.
- Develop a Code of Conduct for County Clerks of Court.
- Develop a direct, near real-time, electronic interface with other agencies in the state including SLED, Department of Motor Vehicles (DMV), DPPP, SCDC, and others in accordance with the homeland security interface standards developed by the U.S. Department of Justice.
- Revise record retention schedules and get approval from State Archives to only have digital images as the Court's record.
- With the South Carolina courts dependent upon technologies for the everyday operation of the courts, questions, issues, and situations are now occurring on a daily basis regarding public-privacy concerns. Therefore, the state needs to evaluate public-privacy concerns with regards to court information to develop the basis and framework with which to address these public-private issues in a fair and consistent manner. The Judicial Department will establish a public-privacy project team to develop a public-privacy policy for the state of South Carolina consisting of:
  - Legislative changes that are needed
  - Court policies, rules, and procedures that are needed
  - Other policies, rules, and procedures that are needed
- Test and pilot video conferencing and electronic signature technologies in a few selected courts to determine feasibility statewide.
- To prevent a disaster similar to the murders to judicial personnel in Atlanta, Chicago, and most recently in Nevada, use the results of the courtroom security task force to implement standards and guidelines for courtroom security in the judicial facilities across the state.
- Plan a collaborative educational program in August 2006 involving all family court judges, Department of Social Services (DSS) attorneys, and county directors to discuss systemic method to improve the way our state processes cases involving abused and neglected children, with the goal of improving outcomes for children.
- The Office of Disciplinary Counsel, working with The SCJD Office of Information Technology and SLED, will implement a case management system using cost efficient "off the shelf" software.

- For the Office of Disciplinary Counsel, develop in-house capability to download and analyze computer information in order to evaluate document fraud and other misconduct committed using computers.

## (2) Opportunities and Barriers:

Opportunities for the Judicial Department for FY 2006-07 are based on further leveraging the resources and skills of all Judicial Branch entities as follows:

- The Judicial Department continues its multi-year initiative to modernize the judicial system through the incorporation of technology into the everyday court operations. The Judicial Department will continue partnerships with other state and federal agencies, including SLED, Department of Public Safety (DPS), SCDC, DPPP, DSS, Department of Revenue, Election Commission, and the Office of the State CIO. In addition, the Judicial Department will continue its close collaboration with each of the 46 counties.
- Homeland Security is currently on the forefront of public awareness. The criminal justice system, specifically law enforcement and the courts, has become a focus of emphasis for public safety. The threat posed by terrorism highlights the critical role of our nation's state courts in maintaining the rule of law, which is the foundation of a civilized society.
- Effective July 1, 2006, the Court of Appeals has been designated by an act of the General Assembly as the primary recipient of appeals from administrative law judges. To address this new caseload of unknown volume will require intense focus and effort at both the staff and judicial levels.
- State legislature's evaluation and response in next year's legislative session to the Ritchie Commission for Family Court Reform and request for three (3) new Circuit Court Judges and three (3) new Family Court Judges. This reform and request for new judges directly addresses the issues of caseloads, backlogs, and time for judges to focus on the judicial issues in a timely, judicious manner.

The Judicial Department's ability to meet its goals is directly affected by constitutional mandates and separation of powers. Criminal prosecution is an Executive Branch function, and the number of cases filed and the disposition rate of those cases are largely controlled by the prosecutorial arm of state government. The Legislative Branch enacts legislation that impacts the Judicial Department's ability to meet its goals, as new laws are enforced by the Executive Branch and must be interpreted by the Judicial Department. The level of funding provided to the Judicial Department by the Legislative Branch is the overwhelmingly determinative factor in the quantity and quality of resources available to achieve the Judicial Department's objective to provide an efficient forum for resolution of issues brought forth through Legislative Branch enactments and actions initiated by the Executive Branch and citizens. Much of the needed funding has been provided by the Legislature through temporary provisos. Stability in funding sources is a significant need.

The barriers being faced by the Judicial Branch are:

- The potential loss of expertise, knowledge and leadership over the next five years of approximately 20 percent of the permanent support staff, including key directors/managers, through retirements.
- Counties without technology resources continue to increase their reliance on the Judicial Department for technology support. Therefore, the limited Information Technology (IT) staff of the Judicial Department is serving as the direct technology support for the most rural

counties, diverting them from their direct duties. Essentially, Judicial Department IT is serving as the county IT support for these 10 to 15 most rural counties.

- The ability to provide adequate services for all levels of the unified judicial system relies in large part on local funding. County and municipal governments bear responsibility to provide funding for county courthouses, clerks of court, magistrates, municipal judges, probate judges, and masters-in-equity and their staffs. A combination of state and local funding sources is required to operate the eight levels of court constituting the Judicial Branch.
- The judicial facilities across the state are public buildings that were not necessarily built for tight security and are, for the most part, very open and accessible. The expenses and operation changes that will be necessary to secure most of the facilities across the state is anticipated to be substantial and will require assistance from many funding sources to complete.
- Because the Family Court case management system is currently being addressed by the state as a part of the statewide child support procurement being led by DSS, the use of new technologies within the Family Court is being delayed as this procurement is being delayed. Since the case management system is the fundamental technology component for the operations of the courts, use of other technologies in the Family Courts is inhibited and thus the Family Courts must continue to operate without the full benefits of modern technologies, which is contradictory to the overall vision and direction of the South Carolina courts.
- The Judicial Department's success depends on the knowledge, skills, and motivation of its employees. Accordingly, the Judicial Department has placed emphasis on providing more accessible, effective, and efficient customer related services to employees. Emphasis is also being placed on professional development, career progression, and personal growth as it pertains to the needs of the Department. In order to provide adequate services to South Carolina customers and stakeholders, requests have been made for additional judges and SCJD staff.

D.

Summary of Operating Budget Priorities for FY 2007-08:		FUNDING					FTEs			
		State Non- Recurring	State Recurring	Federal	Other	Total	State	Fed.	Other	Total
Priority No.: 1	Title: Circuit Court and Family Court additional Judges									
Strategic Goal No. Referenced in Item C Above: (1) Strategic Goal Summary Activity Name & Number: Circuit Court-18; Family Court-19			\$1,898,223			\$1,898,223	21.0			21.0
Priority No.: 2	Title: Court Technology									
Strategic Goal No. Referenced in Item C Above: (1) Strategic Goal Summary Activity Name & Number: Information Technology-22		\$1,550,000	1,302,500			2,852,500	5.0			5.0
Priority No.: 3	Title: Travel Funds									
Strategic Goal No. Referenced in Item C Above: (2) Opportunities and Barriers Activity Name & Number: Circuit Court-18; Family Court-19			1,700,000			1,700,000	0.0			0.0
TOTAL OF ALL PRIORITIES		\$1,550,000	\$4,900,723	\$ 0	\$ 0	\$6,450,723	26.0	0.0	0.0	26.0

The fiscal year 2006-07 Appropriations Act established a committee to review the salaries and make recommendations for the appropriate salary levels of South Carolina's constitutional officers, judges, and legislators. This committee is to submit a report to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chief Justice of the Supreme Court, and the Governor by December 31, 2006. The findings of this study committee may result in a request for additional funding.



E. Agency Recurring Base Appropriation:

State	\$ 34,193,655
Federal	\$ 13,099,000
Other	\$ 15,823,985

F. Efficiency Measures:

As discussed in Section III, Category 7 of the FY 2005-06 Accountability Report, numerical measures are used as indicators of business results in many areas of the Judicial Department. For example, in the various Courts, cases filed and disposed and the growth or reduction of cases pending are the primary judicial performance measures. In Bar Admissions, applicants processed, tested and admitted to practice law serve as the performance indicators. In the Office of Disciplinary Counsel, complaints filed and heard and the growth or reduction of complaints pending are measured. However, some of the most significant indicators of effectiveness and customer service are not stated in numerical measures. Through good process management techniques, cross-functional results of teamwork through various joint project teams and task forces have been realized. Knowledge and expertise has been gained through partnership with a systems integrator. Recognizing that the Judicial Department customers are the citizens of South Carolina and anyone else affected by business before the Courts, the service delivery has to continually be improved through leadership that is responsive to customer input and at the same time, provides direction to the members of the Judicial Department. As stated throughout the Accountability Report, the Judicial Department has embraced technology as a means of communication. The use of technology has already shown results through cost savings to the courts as well as enabling more timely and accurate information to be more accessible to the staff, customers and stakeholders of the Judicial Department.

Comment [s1]: Update

G. Number of Proviso Changes:

H. Signature/Agency Contacts/Telephone Numbers:

Agency Contacts:

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## FISCAL YEAR 2007-08 BUDGET REQUEST

### II. DETAILED JUSTIFICATION FOR FY 2007-08 OPERATING BUDGET PRIORITIES

- A. Agency Section/Code/Name: Section 30/B04/Judicial Department
- B. Priority No. 1 of 3
- C. (1) Title: Circuit Court and Family Court additional judges.  
(2) Summary Description: This request will establish three additional Circuit Court Judge positions and three additional Family Court Judge positions and the staff necessary to support them.  
(3) Strategic Goal/Action Plan: South Carolina continues to have one of the heaviest caseloads in the country. By creating additional judgeships, citizens requiring judicial intervention will receive this attention more quickly.
- D. Budget Program Name and Number:  
Circuit Court – personal service, Budget Program III  
Family Court – personal service, Budget Program IV
- E. Agency Activity: Circuit Court; Family Court
- F. Detailed Justification for Funding

#### (1) Justification for Funding Increase:

Comment [s2]: Tom to update

#### Circuit Court

While the incorporation of case management systems and technology into court operations has allowed the circuit judges to be more efficient, the circuit court caseload continues to steadily increase. Since 1997, when three new circuit judge positions were last created, the circuit court filings have increased from 173,111 filings in fiscal year 1997-98 to 190,478 filings in fiscal year 2004-05. Four thousand one hundred forty-one cases are being filed per circuit judge in South Carolina which is among, if not, the highest ratio of filings per judge in the country.

Between 1998 and 2005 the percentage of criminal cases less than six months old has remained around 45%. This has been accomplished by allocating increasing amounts of court time to general sessions which has contributed to the percentage of civil cases over a year old growing from 30% in 1998 to 34% in 2005. At the end of fiscal year 2004-05, there were 145,413 pending circuit court cases, of which 52,177 were criminal cases pending for more than six months.

A circuit judge holds an average of 39 terms of court each year and in fiscal year 2004-05 averaged 108 dispositions per term. Three new circuit judges would permit the scheduling of 117 more terms of circuit court per year and reduce the delay in disposing of criminal and civil cases by disposing of approximately 12,636 additional cases each year. In addition, three new judges would allow the ratio of circuit judges to circuit court case filings to be reduced from 1:4140 to 1:3887 which would remain among, if not, the highest ratio of filings per judge in the country.

Housing pretrial detainees in county jails is costly and contributes to jail overcrowding in a number of counties. The cost of housing inmates in county jails is at least \$35 dollars per day. During 2004, there was an average of 1,820 detainees in county jails for 90 days or more awaiting trial at a cost of at least \$63,700 dollars per day or \$23,250,500 per year. The terms held by the additional judges would reduce the number of pretrial detainees in county jails resulting in a savings to the counties on housing costs and mitigate problems arising from overcrowding.

#### Family Court

Three family court judge positions were created in 1997 bringing the total to 52. The family court averaged 87,382 cases filings per year during the period of fiscal years 1997-98 through 2004-05. Associated with most of these cases are recurring proceedings due to the ongoing nature of family court issues such as visitation rights and modifications to child support or alimony. In addition, most juvenile cases involve multiple proceedings. The case filings do not reflect the numerous motions filed in most cases or agency cases such as abuse and neglect matters and child support actions and enforcement that require an ever increasing portion of limited court time.

Each family court judge holds approximately 39 terms of court each year and in fiscal year 2004-05 disposed of an average of 39 cases per term. There were 30,256 cases pending at the end of fiscal year 2004-05. The family court deals with sensitive matters and it is often critical that hearings be held in a timely manner. The addition of three family court judges could mean 117 more terms of court annually and an additional 4,563 case dispositions each year.

#### Priority Ranking and Need for Funding

This request is the Judicial Department's number 1 priority. This request is to provide funding for companion legislation that is currently working its way through the legislative process. Providing for a functioning Judiciary is a fundamental requirement in a democratic form of government. Funding judges using carryforward funds would not be appropriate because carryforward general funds fall far short of the amount needed and carryforward other funds cannot be depended on as recurring funds. Accordingly, we request a general fund appropriation for this request.

#### Benefits Derived

The addition of three circuit judges is expected to provide 117 additional terms of circuit court allowing the backlog of criminal and civil cases to be reduced, a more expeditious disposition rate for new cases, and faster dispositions for pretrial detainees resulting in significant cost savings and a reduction in jail overcrowding.

Three new family court judges will allow an additional 117 terms of family court to be held and assist in reducing the backlog in family court by an estimated 4,563 cases per year. Additional judicial resources will also expedite the disposition of new cases and provide critically needed relief to those requiring timely family court hearings.

## Consequences If Not Funded

Over 55% of criminal cases in general sessions court have been pending for more than six months. Without additional terms of court, the backlog of criminal cases will get larger. More cases could be pending for longer lengths of time exposing citizens to a heightened risk of victimization by perpetrators out on bond awaiting disposition of prior charges. Those persons falsely accused would be forced to unfairly live under a cloud of suspicion because crowded dockets unduly delay the adjudication of charges pending against them. A daily average of 1,820 defendants was in jail awaiting trial for more than ninety days in 2004 at an estimated cost of over \$23,000,000. Without additional judicial resources, this situation is likely to continue and will further complicate the jail overcrowding problem.

Family court cases involving such issues as child custody and support, enforcement proceedings, abuse and neglect, and accompanying motions will continue to be brought at rates faster than the system can handle, resulting in increasing backlog and imperiling people's lives and welfare.

(2)

<b>FY 2007-08 Cost Estimates:</b>	<b>State Non-Recurring Funds</b>	<b>State Recurring Funds</b>	<b>Federal</b>	<b>Other</b>	<b>Total</b>
<b>Personnel:</b>					
(a) Number of FTEs*		21.0			21.0
(b) Salary		\$1,217,898			\$1,217,898
(c) Fringe Benefits		584,325			584,325
Program/Case Services					
Pass-Through Funds					
Other Operating Expenses		96,000			96,000
<b>Total</b>	\$0	\$1,898,223	\$0	\$0	\$1,898,223
* If new FTEs are needed, please complete Section G (Detailed Justification for FTEs) below.					

(3) Base Appropriations: State \$16,562,324; Other \$6,804,486. This is the base appropriation for the Circuit and Family Courts. It includes the salaries for 98 judges; 126 court reporters; 98 administrative assistants; and 46 law clerks as well as the office expenses for 98 judges.

(4) Is this priority associated with a Capital Budget Priority? No.

### G. Detailed Justification for FTEs

(1) Justification for New FTE positions: Six additional judges and staff are needed to reduce the caseload ratio and provide services to the citizens of South Carolina.

(2) Position Details:

	State <sup>2</sup>	Federal	Earmarked	Restricted	Total
Position Title: Circuit Judge					
(a) Number of FTEs	(3)				(3)
(b) Salary	\$125,265				\$375,795
(c) Fringe Benefits	\$69,442				\$208,326
Position Title: Family Judge					
(a) Number of FTEs	(3)				(3)
(b) Salary	\$121,968				\$365,904
(c) Fringe Benefits	\$67,894				\$203,682
Position Title: Administrative Assistant					
(a) Number of FTEs	(6)				(6)
(b) Salary	\$23,685				\$142,110
(c) Fringe Benefits	\$9,791				\$58,746
Position Title: Circuit Court Reporter					
(a) Number of FTEs	(3)				(3)
(b) Salary	\$39,624				\$118,872
(c) Fringe Benefits	\$13,146				\$39,438
Position Title: Family Court Reporter					
(a) Number of FTEs	(3)				(3)
(b) Salary	\$34,095				\$102,285
(c) Fringe Benefits	\$11,982				\$35,946
Position Title: Law Clerk					
(a) Number of FTEs	(3)				(3)
(b) Salary	\$37,644				\$112,932
(c) Fringe Benefits	\$12,729				\$38,187

(3) FTEs in Program Area per FY 2006-07 Appropriation Act:

State	219
Federal	0
Other	151

Agency-wide Vacant Non-Judge FTEs as of August 2006: 44

% Vacant: 9.5%

H. Other Comments

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<sup>2</sup> Cost per position.

- A. Agency Section/Code/Name: Section 30/B04/Judicial Department
- B. Priority No. 2 of 3
- C. (1) Title: Court Technology  
(2) Summary Description: Operations, enhancement, and support of the judicial technologies that are utilized as part of court operations by judicial personnel.  
(3) Strategic Goal/Action Plan: Technology initiatives are defined by the South Carolina Judicial Department Strategic Technology Plan. This plan is available for review on the SCJD website at [www.sccourts.org](http://www.sccourts.org). Federal funds have been providing the primary funding for establishing the initiatives identified in this plan; however, state funding is required for the ongoing operations and continuation of the foundational technology components.
- D. Budget Program Name and Number:  
Administration – Information Technology Budget Program, V.C.
- E. Agency Activity: Court Technology
- F. Detailed Justification for Funding

(1) Justification for Funding Increase:

The modernization effort of the South Carolina Courts began when Chief Justice Toal was sworn into office in March of 2000. The technology initiatives began when the development of the strategic technology plan was started in June of 2000. Since June of 2000, all aspects, organizations, and systems that interact with the South Carolina Courts have been involved with this effort including: agencies from state government, county government and local municipal government, elected officials, appointed officials, and staff, from both urban areas and rural areas. The federal government through retired Senator Hollings', Senator Graham's and Senator DeMint's offices and the Department of Justice have also been briefed and are very supportive of these efforts. Their support has been shown over the past years through the awarding of several federal grant projects for the technology initiatives to the Judicial Department. The momentum for this program and the projects comprising it have been developed through an intense grass roots effort to include all entities involved with the South Carolina judicial process.

The SCJD technology initiatives have now permanently changed the criminal justice processes in the state of South Carolina. The initiatives have progressed beyond the point of ever turning back. The efficiencies, accuracy, timeliness, and cost effectiveness of using the technologies and specifically the internet are now readily incorporated into the everyday operations of the courts.

Although the federal grant funds received to date are significant, they are primarily focused upon the criminal justice aspect of the judicial system. In recent years, earmarked funds have also provided an important source of funds as general fund appropriations have decreased. Through thorough upfront planning, other aspects of the judicial system have benefited from the criminal justice technology efforts. Funds are needed to cover the recurring costs of ongoing operations, support, and enhancements of the judicial technologies as well as significant new projects at the Supreme Court and Court of Appeals buildings requiring non-recurring funds as identified in the following table:

TECHNOLOGY	BUDGET REQUESTED
<b>RECURRING ITEMS</b> <ul style="list-style-type: none"> <li>• Software licenses such as Microsoft OS, Office, SQL Server, Oracle, etc...</li> <li>• Systems support for IBM, SANS, web tools, etc...</li> <li>• Telecommunications</li> <li>• Copiers</li> <li>• Information security including spyware protection and secure separation of SCJD internet, intranet, and extranets</li> <li>• Integration of SCJD systems with other SC Criminal Justice Information Systems (CJIS)</li> </ul>	\$250K \$100K \$240K \$ 50K \$100K \$250K TOTAL = \$990K
<b>NON-RECURRING ITEMS</b> <ul style="list-style-type: none"> <li>• Rewiring of the Supreme Court</li> <li>• Retrofitting meeting rooms in the Supreme Court and Court of Appeals to utilize modern meeting technologies</li> <li>• Completion of the SCJD data center</li> </ul>	\$450K \$600K \$500K TOTAL = \$1.55M

(2)

FY 2007-08 Cost Estimates:	State Non-Recurring Funds	State Recurring Funds	Federal	Other	Total
<b>Personnel:</b>					
(a) Number of FTEs*		5.0			5.0
(b) Salary		\$ 250,000			\$ 250,000
(c) Fringe Benefits		62,500			62,500
Program/Case Services					
Pass-Through Funds					
Other Operating Expenses	\$1,550,000	990,000			2,540,000
<b>Total</b>	\$1,550,000	\$1,302,500	\$ 0	\$ 0	\$2,852,500

\* If new FTEs are needed, please complete Section G (Detailed Justification for FTEs) below.

(3) Base Appropriation: State \$1,350,690; Federal \$13,099,000; Other \$1,162,250. The state and other appropriation represent the wages for 21 FTEs involved in Court Automation. It also represents the hardware, software, telephone lines, and all related expenses to provide technology for the day-to-day operations in the Judicial Department. The Federal funding is restricted to future infrastructure and development costs to facilitate and administer criminal courts at the county level. It cannot be used for day-to-day operations.

(4) Is this priority associated with a Capital Budget Priority? No.

G. Detailed Justification for FTEs

- (1) Justification for New FTE Positions: The Judicial Department continues to significantly improve services by incorporating technologies into the everyday operations of the courts. It is anticipated that existing staff with the addition of a Senior Information Resource Consultant, Instructor/Training Coordinator, Applications Analyst, and two Information Resource Consultants, with the continued assistance of outside programmers and systems integrators, will be able to meet the challenges. The following table defines these positions and their responsibilities.

POSITION	PRIMARY RESPONSIBILITY
Senior Information Resource Consultant	Database operations of the court Case Management System (CMS) and other SQL based judicial systems
Instructor/Training Coordinator	Technology training to judicial personnel
Applications Analyst	CMS technician for fulfilling CMS needs such as documentation, installations, troubleshooting with users, etc...
Information Resource Consultant	SCJD call center end-user support

- (2) Position Details:

	State	Federal	Earmarked	Restricted	Total
Position Title: Senior Information Resource Consultant					
(a) Number of FTEs	(1)				(1)
(b) Salary	60,000				60,000
(c) Fringe Benefits	15,000				15,000

Position Title: Instructor/Training Coordinator					
(a) Number of FTEs	(1)				(1)
(b) Salary	60,000				60,000
(c) Fringe Benefits	15,000				15,000

Position Title: Applications Analyst					
(a) Number of FTEs	(1)				(1)
(b) Salary	60,000				60,000
(c) Fringe Benefits	15,000				15,000

Position Title: Information Resource Consultant					
(a) Number of FTEs	(2)				(2)
(b) Salary	35,000				70,000
(c) Fringe Benefits	8,750				17,500

- (3) FTEs in Program Area per FY 2006-07 Appropriation Act:

State	21
Federal	
Other	19

Agency-wide Vacant Non-Judge FTEs as of August 2006: 44

% Vacant: 9.5%. The 19 FTEs listed as other have never been funded with general funds. They have been utilized as the need for them has become apparent and as other funds have become available. These positions will be paid this year with Case Management support fees to the extent they are available.

H. Other Comments:



- A. Agency Section/Code/Name: Section 30/B04/Judicial Department
- B. Priority No. 3 of 3
- C. (1) Title: Travel Funds  
(2) Summary Description: Circuit Court and Family Court operating funds for travel.  
(3) Strategic Goal/Action Plan: To allow effective scheduling of judges and to comply with Constitutional requirements of judicial rotation.
- D. Budget Program Name and Number: Circuit Court, Budget Program III  
Family Court, Budget Program IV
- E. Agency Activity: Circuit Court, Family Court
- F. Detailed Justification for Funding

(1) Justification for Funding Increase:

This is a request to provide funds so that judges and their staff and court reporters may be sent to those areas of the state where they are most needed. These funds are also needed so that we can comply with the State Constitution, which requires judicial rotation. Although judicial automation has already demonstrated results through paper and print savings, increased efficiency in scheduling and records management, the Judicial Department remains labor intensive with 85% of our general fund and earmarked budget and 95% of our general fund appropriation going to salaries and fringe benefits. Although cut in half in recent years travel expenditures have begun to increase. Past savings have come almost entirely from circuit court and family court travel budgets. Cuts were achieved by using fewer retired judges and by keeping judges in their home counties as much as possible. However, this results in less efficient use of judges which ultimately slows the disposition of cases and increases the court backlog. Consequently, it has been necessary to increase travel to avoid inefficiencies that develop when there is inadequate travel. These funds are requested so we may continue to more effectively manage the current judicial process and provide better services to customers of the Judicial Department.

Current general fund appropriations are used almost exclusively to pay Judges' salaries and employer contributions and to pay some Judicial Department staff. The Legislature has generously provided the Judicial Department with \$1 million in supplemental funds to help defray travel costs in the current (2006-07) fiscal year. Our travel expenditures for the last year (2005-06) were \$1.476 million. These expenditures were paid from funds mainly provided by temporary provisos. Much of the expenditures this year will be paid by supplemental funds. We are asking for a recurring general fund appropriation to provide stable funding for these costs.

(2)

<b>FY 2007-08 Cost Estimates:</b>	<b>State Non-Recurring Funds</b>	<b>State Recurring Funds</b>	<b>Federal</b>	<b>Other</b>	<b>Total</b>
<b>Personnel:</b>					
(a) Number of FTEs*					0.00
(b) Salary					
(c) Fringe Benefits					
Program/Case Services		\$1,700,000			\$1,700,000
Pass-Through Funds					
Other Operating Expenses					
<b>Total</b>	\$ 0	\$1,700,000	\$ 0	\$ 0	\$1,700,000
* If new FTEs are needed, please complete Section G (Detailed Justification for FTEs) below.					

- (3) Base Appropriations: State \$16,562,324; Other \$6,804,486. This is the base appropriation for the Circuit and Family Courts. It includes the salaries for 98 judges; 126 court reporters; 98 administrative assistants; and 46 law clerks as well as the office expenses for 98 judges. Judicial rotation is constitutionally mandated and as such should be fully funded by the Legislature. In recent years, the Judicial Department used earmarked revenues to provide funding necessary to pay travel expenditures. This year the Judicial Department will use supplemental funds and earmarked funds to pay for Circuit and Family Court travel. Both of these sources of funding are considered temporary funding by their nature. This request is made for a recurring general fund appropriation to provide stable funding for these costs.

- (4) Is this priority associated with a Capital Budget Priority? No.

G. Detailed Justification for FTEs: Not applicable

H. Other Comments:

## **FY 2007-08 COST SAVINGS & ACTIVITY PRIORITY ADDENDUM**

The South Carolina Judicial Department is one of three co-equal branches of state government created by the South Carolina Constitution. The Department's primary mission is to ensure an accessible forum for the resolution of civil disputes and criminal matters and to resolve those cases expeditiously and fairly. The Department accomplishes this essential mission with an appropriation of less than 1% of the state's annual budget.

In fiscal year 2006-07, 95% of the Department's general fund appropriation is allocated to the judges and staff salaries and benefits. The remaining 5% of our general fund appropriation contributes to operational costs.

The Department is mindful of the difficult task of formulating a responsible budget but we are unable to identify cost saving initiatives in an amount equal to 2% of our general fund appropriation that are not essential to performing the Department's constitutionally mandated duties. We are also unable to identify 10% of Judicial Department activities that represent our lowest priorities. All Department activities contribute to the successful performance of the functions required of the Supreme Court, Court of Appeals, Circuit Courts, Family Courts, and other aspects of the unified judicial system which are necessary to sustain to a stable, democratic society.